

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MANOR MOTORCAR CO. d/b/a
MERCEDES-BENZ OF NOVI, ESTATE
MOTORS LTD. d/b/a MERCEDES-BENZ
OF BLOOMFIELD HILLS, PARKVIEW
MOTORS, LTD. d/b/a MERCEDES-BENZ
OF ROCHESTER HILLS, CHARLES J.
GHESQUIERE, JR., LEE B. GHESQUIERE,
and C. J. GHESQUIERE, III,

Plaintiffs,

CIVIL ACTION NO. 05-60243

v.

DISTRICT JUDGE JOHN CORBETT O'MEARA

MERCEDES-BENZ USA, INC.,

MAGISTRATE JUDGE VIRGINIA MORGAN

Defendant.

**ORDER GRANTING IN PART PLAINTIFFS' AMENDED
MOTION TO COMPEL PRODUCTION OF DOCUMENTS**

This matter is before the court on Plaintiffs' Amended Motion to Compel Production of Documents from Defendant Mercedes-Benz USA filed October 6, 2006 (D/E 36). A hearing on the motion was held before the magistrate judge on November 13, 2006. For the reasons stated on the record, IT IS ORDERED that the Motion IS GRANTED in part.

Counsel met and submitted a joint List of Unresolved Issues. Pursuant to that list, the following is ordered:

1. Plaintiff's request for defendant to produce unredacted versions of meeting minutes from its Network Review Committee (see MB01186R-MB01201R-Exhibit B to Plaintiffs' Motion) IS DENIED.

2. Plaintiff's request for defendant to produce unredacted versions of dealer performance rankings (see MB02041R-MB02045R-Exhibit C to Plaintiffs' Motion) was resolved by counsel.

3. Plaintiff's request for defendant to produce business plans and pro formas provided to it by dealer candidates for the new Detroit dealership IS GRANTED only to the extent that defendant must produce any solicitations for business plans or pro formas prior to September 3, 2003. If none, say so in writing.

4. Plaintiff's request for defendant to produce or allow inspection of plaintiffs' entire dealer file IS GRANTED in part. Defendant must produce all documents in the file from January 1, 2002 and forward. If documents are withheld based on privilege, a privilege log must be provided.

5. Plaintiff's request for defendant to produce all information requested in Request Nos. 2 and 3 of Plaintiff Estate Motor Ltd.'s Second request for Production of Documents IS GRANTED in part. Defendant must produce information limited to Michigan, Ohio and Indiana dealerships.

S/VIRGINIA M. MORGAN
VIRGINIA M. MORGAN
UNITED STATES MAGISTRATE JUDGE

Dated: November 15, 2006

PROOF OF SERVICE

The undersigned certifies that the foregoing order was served upon counsel of record via the Court's ECF System and/or U. S. Mail on November 15, 2006.

s/Kendra Byrd
Case Manager to
Magistrate Judge Virginia M. Morgan